

**REMARKS**

The Examiner's Office Action mailed April 29, 2005, was received and its contents carefully reviewed. Additionally, the Advisory Action mailed August 11, 2005, was also reviewed. Claims 1-24 were previously presented and remain pending in the present application. In response to the April 29, 2005, Office Action, Applicants amended claims 1, 22, 23, and 24 to provide additional details regarding the multiple stock keeping units (SKUs) and customization of catalogs and to further clarify the claim language. Additionally, Applicants reformatted the claims for easier reading and to comply with generally accepted formatting guidelines. Support for the substantive amendments may be found throughout the specification and at least on page 7, lines 10-15; page 21, lines 2-18; and throughout pages 24-26 and 31. As such, Applicant respectfully submits that no new matter was introduced by these amendments. The most-recent amendments to these claims were made after a final rejection, and the after-final amendment was not entered in the record. The same amendments and the same claims 1-24 are duplicated in this submission. With respect, Applicants submit that the present Amendment complies with the submission requirements of a Request for Continued Examination and request reconsideration of the present application.

Additionally, new claims 25-56 were added to recite additional details regarding the present invention. Support for these new claims may be found at least on pages 7 (claims 25-27), 13 (claim 28), 21 (claims 29-33, 36, 37, 51), 24 (claims 38-41), 25 (claims 43, 44), 26 (claims 34, 35, 45-47), 27 (claim 48), 29 (claim 49), 30 (claim 50, 55, 56), 31 (claim 42), 38 (claim 52-54), and throughout the specification. As now recited, claims 1-56 are currently pending and are believed to be in condition for allowance. Applicant respectfully requests reconsideration of this application in light of the above amendments and the following remarks.

**A. Claim Rejections under 35 U.S.C. § 103(a)**

Claims 1-24 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Maxwell et al. U.S. Patent No. 5,675,784 (the '784 patent) in view of Imamura et

al. U.S. Patent No. 6,128,600 (the '600 patent) and further in view of Povilus U.S. Patent No. 5,740,425 (the '425 patent) as indicated beginning on page 2 of the April 29, 2004, Office Action. In view of the amendments provided above and the comments below, Applicant respectfully requests reconsideration and withdrawal of this rejection.

The present invention relates to a method for gathering, organizing, and delivering product information to catalog creators that enables product data to be captured, stored, and distributed in an efficient manner. Product data suitable for use in catalogs is captured and stored for subsequent distribution to customers. The customers may be other manufacturers, distributors, resellers, as well as end users.

For example, amended claim 1 now recites a method of capturing data for use in a catalog comprising capturing product data for a product according to a data model, the data model having one or more classes, each one of the one or more classes being defined by one or more categories, each of the one or more categories being defined by an attribute group having one or more attributes; and storing the captured product data in a product data system. Amended claim 1 further recites that the product data include a system SKU product identifier that identifies the product within the product data system; a manufacturer SKU associated with the product that identifies the product within a product line of the manufacturer; at least one customer SKU assigned by the customer that identifies the product, each customer SKU being associated with a customer for which the product data is being stored for subsequent distribution to the customer, for use in a catalog, the customer being a manufacturer, retailer, or distributor of the product, thereby enabling the at least one customer to request customized distribution of product data for a particular product; a link to product information characterizing the product; and a customer identifier that identifies the customer to which the captured data is to be distributed.

As currently recited in claim 1, the method of capturing data and preparing the data for distribution to customers allows those customers to acquire product data, have the product data stored according to a product identifier (system SKU) that identifies the product within the product data system along with the manufacturer SKU

associated with the product that identifies the product in the manufacturer's environment (i.e., manufacturer's product line). Further, the customer assigns a customer SKU that further identifies the product by adding additional information unique to that customer. Additionally, a link to product information such as technical data, image data, and the like are also stored as is a customer identifier that identifies the customer to which the captured data is to be distributed.

In this fashion, the customer is not only able to search and acquire product data from a host of data suppliers and catalog houses, but the customer is also able to configure their own customized catalog based upon the data that has been tagged and distributed to them with the appropriate reference features outlined above. This functionality provides the ability to act as a catalog service provider to other retailers who could quickly and easily create thematic private-label catalogs based on the centralized service catalog provided by the present invention. The cited references do not provide for this customized compilation of product data, nor do they disclose the features recited in claim 1 necessary to perform this method. This additional utility of the present invention is not implied or even loosely suggested by the cited references.

For example, the '784 patent addresses the problem of inconsistent product data of products in channels of distribution by providing a relational database system that allows users to search for specific products based on component criteria (see col. 1, lines 19-21; col. 2, lines 14-16 and 43-45). The database system of the '784 patent is, in effect, a one-way system where users search for products based upon consistent product data in the database. The consistent product data allows for controlled and accurate results. However, there is no function or features necessary to distribute customized captured data to a customer in the form possible in the present invention. That is, as the Examiner indicates, the '784 patent fails to disclose storing the product data including a manufacturer SKU that identifies the product and a customer SKU that also identifies the product (see page 3, third paragraph of the Office Action mailed April 29, 2005). Likewise, the '784 patent fails to disclose a customer identifier that identifies the customer to which the captured data is to be distributed. Instead, the '784 patent focuses on providing a product information guide useful in

classifying products according to product type, component makeup, and specifications (see col. 1, lines 12-16). The '784 patent provides results from an individual to search, but does not disclose a method for providing captured data to a customer for use in a catalog. That is, the '784 patent fails to disclose a manner and method of making the product data available to customers using information such as a customer SKU and a customer identifier that permits customized distribution of product data based upon the requirements of a particular customer.

The Examiner relies on the '600 patent to cure the deficiencies of the '784 patent and asserts that the '600 patent discloses storing product data "including both a manufacturer SKU that identifies the product and a customer SKU that identifies the product" and cites Fig. 7, col. 9; lines 24-53 in the '600 patent to support this assertion (see page 3, third paragraph of the Office Action mailed April 29, 2005). While the '600 patent discloses an electronic shopping system including an electronic mail server designed to include a shop database, this section of the '600 patent merely discloses a manner of altering existing product data information in the product database to allow the product information of a product to be changed (see col. 9, lines 1-14).

The portion of the '600 patent cited by the Examiner provides further details regarding altering existing product data information:

When an alteration is made to the defined information on a standard product, the contents of a record (Record 720 in FIG. 7) for the standard product in the corresponding product data information in the product database 212 are altered according to the input alteration (Step 806). Then, a screen is displayed on the input/output device 31, asking whether the contents of the alteration need to be reflected on the defined information on optional products. The process then waits for an instruction from the electronic catalogue producer (Step 808).

When an instruction is given to reflect the alteration in Step 808, records defining product information on optional products (records after records 720 in FIG. 7) are altered in a field corresponding to the altered product information for the standard product, based on the product data information within the product database 212 (Step 810). When an instruction is not given to reflect the alteration in Step 808, the processing is brought to an end.

When an alteration is made with respect to optional items used to generate product data information on optional products in Step 804, defined information on the optional products deriving from the standard product are deleted from the product database 212 (Step 812). Then, product data information defining product information with respect to new optional products is generated based on the contents of an alteration for the optional items, through the same processing set forth above with respect to Step 706 through Step 710 in FIG. 6. The generated product data information is then transferred to the electronic mall server 2 to be registered in the product database 212 (Step 814).

The cited passage of the '600 patent simply illustrates the steps necessary to alter the contents of a record (Fig. 7, col. 9, lines 24-41). There is no disclosure of storing the captured product data where the product data includes a manufacturer SKU associated with the product that identifies the product in a product line of the manufacturer, nor of at least one customer SKU assigned by the customer that identifies the product as now recited in amended claim 1.

The '600 patent fails to disclose captured product data that may further be distributed in the customized manner recited in amended claim 1, since the required features, namely a manufacturer SKU associated with the product and at least one customer SKU assigned by the customer, are not included in the record of the '600 patent.

Additionally, the Examiner concedes that, "The combination of Maxwell in view of Imamura is silent with respect to the step of the customer requesting distribution or transmission of product data for a plurality of products including a customer SKU associated with the customer for that products [sic]" and relies on the '425 patent to cure the deficiencies of the combination of the '784 patent and the '600 patent.

Assume that several years after its construction, the level management subsystem begins to perform erratically, causing a tank overflow. The facility maintainer goes to the local equipment distributor to describe a problem with one of the sensor components. The local distributor has since lost the CD version that was current when the subsystem was first purchased, but the distributor should still be able to access information on that subsystem using the

Manufacturer Y's electronic binder archives. Unfortunately, the distributors communication lines are down. In the back room the distributor finds a copy of the print version of the catalog from the same period as the CD. Looking up the series in that catalog, the distributor finds the SKU of the subsystem component that needs replacing. The distributor then inputs that SKU number into the current CD catalog and is informed that the original manufacturer has gone out of business and that sensor manufacturer Z makes a functionally equivalent component.

However, as shown above, the cited portion of the '425 patent describing a facility maintainer scenario does not cure the deficiencies of the combination of the '784 patent and the '600 patent (see col. 12, lines 35-52).

Even though claim 1 was amended in the present Response, there remains no disclosure in the '425 patent of "at least one customer SKU assigned by the customer that identifies the product, each customer SKU being associated with a customer for which the product data is being stored for subsequent distribution to the customer for use in a catalog, the customer being a manufacturer, retailer, or distributor of the product, thereby enabling the at least one customer to request customized distribution of product data for a particular product" as now recited in amended claim 1. The '425 patent discloses a method that is inoperable for the intended purpose of the present invention. In fact, in the passage of the '425 patent cited by the Examiner, the reason the facility manager and local equipment distributor have such a tough time accessing information regarding the subsystem is that the data structure and method disclosed in the '425 patent does not include a customer SKU that identifies the product. The SKU disclosed by the '425 patent in the example cited by the Examiner is the manufacturer SKU that identifies the subsystem in question in the manufacturer's environment (see col. 12, lines 35-52). If a customer SKU had been assigned using the method of the present invention, the facility maintainer could have immediately linked from the customer SKU that they assigned to the subsystem to the manufacturer SKU via the system SKU product identifier of the product data system. There would be no need to access a third party equipment distributor since the data model of the present invention stores captured product data including the related SKU numbers, a link to

product information characterizing the product, and a customer identifier that identifies the customer to which the captured data is to be distributed. Each of these features is recited in currently amended claim 1. There is no such disclosure in '784 patent, the '600 patent, or the '425 patent, nor in the combination of these patents.

As such, Applicants respectfully submit that the combination of the '784 patent, the '600 patent, and the '425 patent fails to disclose all the recited features of claim 1 as currently amended. Accordingly, Applicants respectfully request reconsideration of claim 1 and withdrawal of the rejection under 35 U.S.C. § 103(a).

Dependent claims 2-21 are dependent upon amended claim 1, and thereby include all the limitations of independent claim 1, while reciting additional features of the present invention. Applicants respectfully traverse the rejection of claims 2-21 for similar reasons as outlined above with regard to the rejection of claim 1 under 35 U.S.C. § 103(a). As discussed above, Applicants respectfully submit that the cited combination of references fails to disclose all the elements and limitations recited in independent claim 1 of the present application. Therefore, the applied reference fails to disclose all the features and limitations of dependent claims 2-21 as well, and thus, the Examiner does not establish a prima facie case of obviousness under 35 U.S.C. § 103(a).

Accordingly, Applicants respectfully submit that claims 2-21 are allowable by virtue of their dependency upon claim 1 as outlined above. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2-21 under 35 U.S.C. § 103(a).

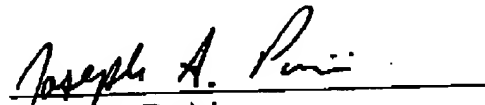
With regard to claims 22-24, amended independent claim 22 recites a computer-readable medium storing instructions for performing the method of the present invention recited in amended independent claim 1. Similarly, claim 23 recites a system in means-plus-function format for capturing data for use in a catalog where the system performs the method recited in amended claim 1. Similarly, amended claim 24 recites a system for capturing data for use in a catalog comprising a processor and a memory that employs the method of amended claim 1.

For the same reasons outlined above with regard to claim 1, Applicants respectfully assert that the cited combination of references fails to disclose the limitations recited in amended independent claims 22, 23, and 24 of the present application. As such, Applicants respectfully request reconsideration of claims 22, 23, and 24 and withdrawal of the rejection under 35 U.S.C. § 103(a).

#### B. Conclusion

In summary, the cited combination of references fails to teach or suggest the claimed subject matter as now recited. Applicants respectfully submit that the application is in condition for allowance and favorable action is solicited. If the Examiner feels that there are still outstanding issues in this case, the Examiner is encouraged to contact the undersigned to discuss the same.

Respectfully submitted,

  
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